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November 11, 2022

Via ECF

The Honorable Lee G. Dunst
United States Magistrate Judge
United States District Court
Eastern District of New York
100 Federal Plaza, Courtroom 830
Central Islip, New York 11722

Re: Seaford Avenue Corp. v. ION Insurance Company, Inc.
Case No.: 2:22-cv-03449 (JS) (LGD)

Dear Judge Dunst:

We represent Defendant ION Insurance Company, Inc. (“Defendant”) in the above-referenced matter. We submit this letter jointly and with the consent of Plaintiff Seaford Avenue Corp. (“Plaintiff”) to request a telephone conference for the purpose of seeking clarification from the Court regarding the Default entered against Defendant.

To summarize for the Court, on September 12, 2022, the Clerk entered Default against Defendant for failure to file an Answer to Plaintiff’s Complaint. [ECF 15]. On October 7, 2022, Plaintiff filed a Motion for Default Judgment, though no briefing schedule or return date has been set. [ECF 18]. Recently, Moritt Hock & Hamroff, LLP was retained as counsel by Defendant and on November 4, 2022, Defendant filed an Answer and Affirmative Defenses. [ECF 20]. On November 7, the Court issued a Scheduling Order requiring the parties to submit a proposed discovery plan/scheduling order by January 3, 2023, but did not address Defendant’s Default or the pending Motion for Default Judgment.

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For this reason, the Parties respectfully request a telephone conference with the Court to clarify the status of the Default entered against Defendant and Plaintiff's pending Motion for Default Judgment.

Respectfully Submitted,

/s/ Marshall Dworkin

Marshall O. Dworkin

cc: All counsel of record (via ECF)